



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 64834

Application Status: Under LG Review

Applicant:

Agent: Carl Withler

Local Government: City of Kelowna

Local Government Date of Receipt: 02/10/2022

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: House 60 TFW for cherry production.

Agent Information

Agent: Carl Withler

Mailing Address:

2612 Woodland Cres

Kelowna, BC

V1W 2R4

Canada

Primary Phone: (250) 870-2137

Email: withler@shaw.ca

Parcel Information

Parcel(s) Under Application

- Ownership Type:** Fee Simple
Parcel Identifier: 030-944-988
Legal Description: EPP95434
Parcel Area: 10 ha
Civic Address: 1989 Ward Road, Kelowna, B.C.
Date of Purchase: 12/01/2021
Farm Classification: Yes
Owners

- Name:**
Address:

Phone:

Email:

Applicant:

Ownership or Interest in Other Lands Within This Community

- 1. Ownership Type:** Fee Simple
Parcel Identifier: 004-320-921
Owner with Parcel Interest:
Parcel Area: 4.3 ha
Land Use Type: Agricultural/Farm
Interest Type: Full Ownership
-

Current Use of Parcels Under Application

- 1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**
Entire orchard planted to high quality cherry and apple production.
- 2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**
Equipment shed on site for storage of farm equipment.
- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**
None.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: apple production

East

Land Use Type: Agricultural/Farm
Specify Activity: apple production.

South

Land Use Type: Agricultural/Farm
Specify Activity: apple production

West

Land Use Type: Agricultural/Farm
Specify Activity: cherry production

Proposal

- 1. What is the purpose of the proposal?**
House 60 TFW for cherry production.
- 2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.**
The Gill family now has 40 acres in producing cherries. Labour is needed to plant, prune and pick the crop.

Applicant:



3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

None

4. What is the total floor area of the proposed additional residence in square metres?

200 m²

5. Describe the rationale for the proposed location of the additional residence.

Housing for TFW is a requirement of the SAWP program.

6. What is the total area of infrastructure necessary to support the additional residence?

2000 m as required by City of Kelowna.

7. Do you need to import any fill to construct the additional residence or infrastructure?

No

Applicant Attachments

- Agent Agreement-Carl Withler
- Proposal Sketch-64834
- Certificate of Title-030-944-988

ATTACHMENT <u> A </u>	
This forms part of application # <u>A22-0004 FH22-0006</u>	
Planner Initials	<input type="text" value="MT"/>
 City of Kelowna COMMUNITY PLANNING	

ALC Attachments

None.

Decisions

None.

Applicant:

TEMPORARY FARM WORKER HOUSING PERMIT



APPROVED ISSUANCE OF TEMPORARY FARM WORKER HOUSING PERMIT NO. FH22-0006

Issued To: Gill Family Orchards Inc., Inc. No. BC1159244
Site Address: 1989 Ward Road
Legal Description: Lot 1, Section 5, Township 26, ODYD, Plan EPP95434
Zoning Classification: A1 – Agriculture 1
Development Permit Area: Temporary Farm Worker Housing



SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Temporary Farm Worker Housing Permit No. FH22-0006 for Lot 1, Section 5, Township 26, ODYD, Plan EPP95434, located at 1989 Ward Road, Kelowna, BC to allow the development of temporary farm worker housing be approved subject to the following:

- a) The dimensions and siting of the buildings and structures to be constructed on the land be in accordance with Schedule "A";
- b) A vegetated buffer is provided for screening adjacent property lines and between the temporary farm worker housing and active farming areas in accordance with Schedule B;
- c) The applicant be required to post with the City a Landscape Performance Security deposit in the form of an Irrevocable Letter of Credit in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;
- d) Registration of a Section 219 Restrictive Covenant on the Title that states:
 - a. The dwellings will be used for temporary farm workers only;
 - b. The owner will remove the dwellings if the farm operation changes such that they are no longer required;

- c. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
- d. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers; and
- e. The temporary farm worker housing footprint is a maximum of 0.3 ha.

AND THAT this Temporary Farm Worker Housing Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) An Irrevocable Letter of Credit in the amount of \$11,254.69

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. Indemnification

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

ATTACHMENT		B
This forms part of application		
# A22-0004 FH22-0006		
Planner Initials	MT	 City of Kelowna <small>COMMUNITY PLANNING</small>

5. APPROVALS

Issued and approved by Council on September 19, 2022.

Terry Barton, Development Planning Department Manager

Issue Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or his or her designates**

ATTACHMENT B

This forms part of application
A22-0004 FH22-0006

Planner Initials **MT**



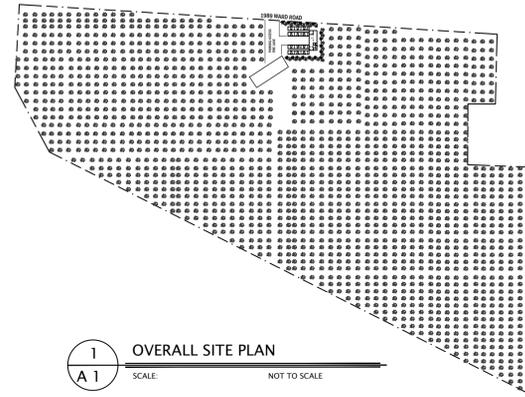
City of
Kelowna
COMMUNITY PLANNING

SCHEDULE **A**

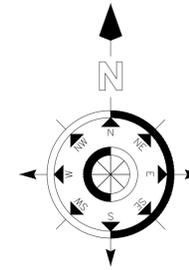
This forms part of application
A22-0004 FH22-0006



Planner Initials **MT**



1 OVERALL SITE PLAN
A 1 SCALE: NOT TO SCALE



MUNICIPAL ADDRESS
1989 WARD ROAD
KELOWNA, B.C.
V1W-4B1

LEGAL ADDRESS
LOT 1 BLOCK
PLAN EPP95434
KID 855120
PID 030-944-988

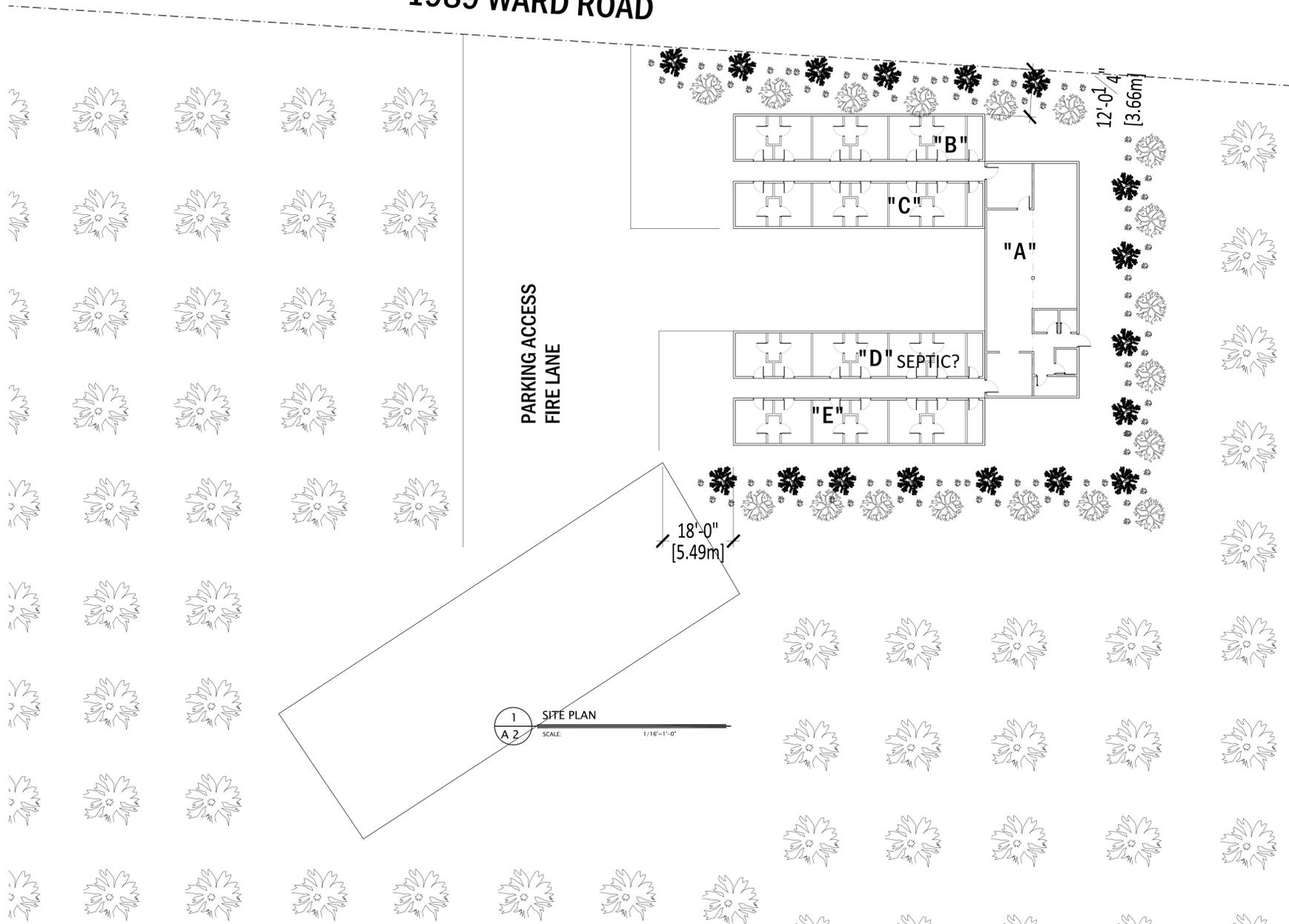
ZONE A1
WATER CITY

FIRE

22.907 Acres / 9.27 Ha.

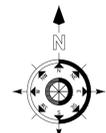
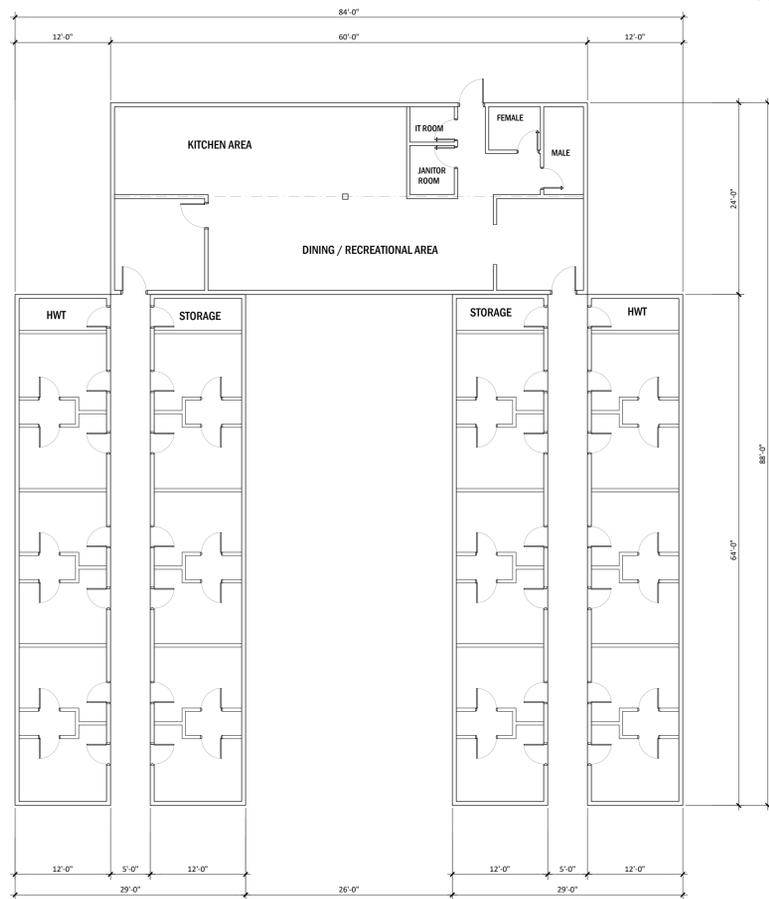
1989 WARD ROAD

- A KITCHEN / DINING 24' x 60'
- B SLEEPING UNITS 12'x 64'
- C SLEEPING UNITS 12'x 64'
- D SLEEPING UNITS 12'x 64'
- E SLEEPING UNITS 12'x 64'
- G SEPTIC FIELD



1 SITE PLAN
A 2 SCALE: 1/16"=1'-0"

DATE	NO.	BY	REVISION
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<p>HOLDEN'S DRAUGHTING & DESIGN 832 SAUCIER AVENUE KELOWNA, B.C. V1Y-6A3 Phone: 250.868.0962 Fax: 250.868.0962 Email: h.holden@shaw.ca</p>			
<p>PROJECT</p> <p>M. GILL 1989 WARD ROAD KELOWNA, B.C.</p>			
<p>SHEET TITLE</p> <p>SITE PLAN & NOTATION</p>			
DRAWN	RAH	SHEET NO.	A 1
CHECKED		SCALE	1/32"=1'-0"
DATE	14-Jun-22	Rev.	0



1 TRAILER LAYOUT
A 2 SCALE: 3/32"=1'-0"

SLEEPING UNIT SCHEDULE (x4)

BED (48" x 78")	24
NIGHT STAND	24
SMALL DESK	24

SCHEDULE A

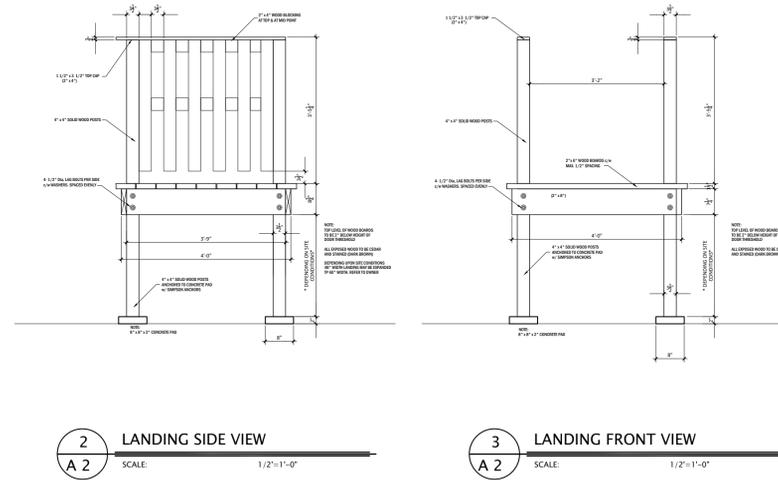
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City of Kelowna
COMMUNITY PLANNING

- TYPICAL CONSTRUCTION NOTES:**
refer to specifications
- fire**
fire extinguisher supplied
one per exit
one per laundry room
- plumbing**
shut off valves 1 per fixture
all vents in wall structure / where possible
- electrical**
electrical heat / 1 per bedroom
receptacles as per specifications
- telephone**
one per
jacks as per spec
- emergency exit**
running man symbol to be installed
at all exits
- bedroom doors to have
20 min. FRR
door closer or door closer hinges
- mechanical doors to have
20 min. FRR
door closer or door closer hinges

DORMITORY COMPLEX REGULATIONS	
LIVE LOAD	75 PSF
ROOF LOAD	44 PSF
CEILING HEIGHT STRUC.	8'-0 1/4"
CEILING HEIGHT FINISH	8'-0 1/4"



2 LANDING SIDE VIEW
A 2 SCALE: 1/2"=1'-0"

3 LANDING FRONT VIEW
A 2 SCALE: 1/2"=1'-0"

TYPICAL CONSTRUCTION NOTES:

BLOCKING
treated 6"x 6" bottom core
untreated 6"x 6" top blocks
24" x 24" x 1 1/2" concrete pad

SKIRTING
to a maximum height of 25 1/2"
2" x 4" spruce as required
screened vents 6 only 14" x 8"
clad access hatch 1 only 36" x 18"

STAIRS & LANDINGS
total max. rise allowed
all stairs / landings to be c/w handrail
spruce construction / 2 coats of solid stain
to match exterior
non slip surface on treads & decking

PREFABRICATED TRAILER UNITS
to be confirmed by manufacturer

FLOORS
3/8" plywood glued/screwed
2"x10" @ 16" o.c. joists
R28 friction fit batt insulation
5/8" t&g plywood glued / screwed / sanded

EXTERIOR WALLS
30 gauge exterior steel
3/8" plywood
2"x6" @ 16" o.c. spruce
R20 friction fit batt insulation
3/8" plywood

PARTITIONS
2"x4" @ 16" o.c. spruce
R12 friction fit batt insulation

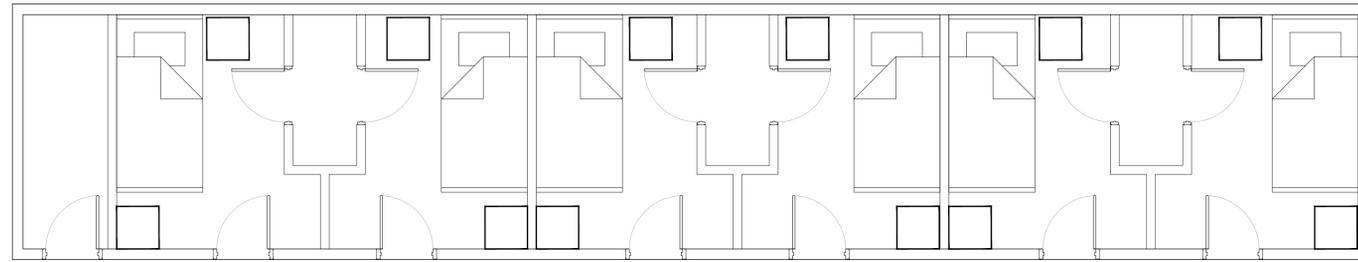
ROOF
EPDM
1/2" spruce plywood
2"x8" @ 16" o.c. tapered
R28 batt insulation
1/2" type 'x' g.w.b.

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PROJECT: M. GILL 1989 WARD ROAD KELOWNA, B.C.			
SHEET TITLE: TRAILER LAYOUT			
DRAWN: RAH	SHEET NO. A 2		
CHECKED:	SCALE: 3/32"=1'-0"		
DATE: 14-Jun-22	Rev. 0		

- BATHROOMS**
- VANITY
 - 18" x 24" high FRAMELESS MIRROR CENTRED OVER VANITY
 - TOILET
 - DOUBLE PAPER TOILET DISPENSER
 - SHOWER (SIZE)
 - 48" x 78" WHITE VINYL CURTAIN c/w ROD
 - ROBE HOOK

- LAUNDRY**
- SHELF ABOVE LAUNDRY MACHINES
 - MAYTAG HEAVY DUTY RESIDENTIAL TYPE WASHERS
 - MAYTAG HEAVY DUTY RESIDENTIAL TYPE DRYERS
 - ROBE HOOK

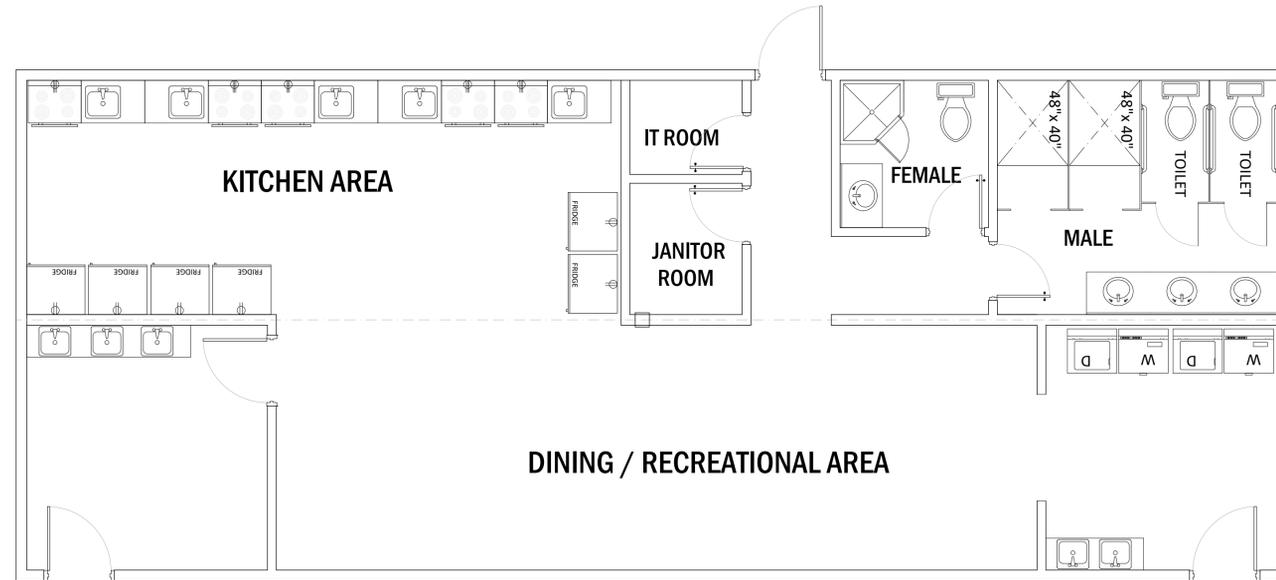
- MILLWORK:**
- ALL CLOSETS, NIGHT TABLES AND DESKS TO BE BIRCH CONSTRUCTION c/w DOORS, ADJUSTABLE AND/OR FIXED SHELVING
 - COUNTERTOPS SHALL BE "EBONY FUSION" POST FORMED PLASTIC LAMINATE
 - ALL VANITIES SHALL BE 30" x 32" A.F.F. FULL CABINET c/w 4" BACKSPLASH AND BIRCH DOOR.
 - ALL DOOR / DRAWER PULLS SHALL BE "C" PULL TYPE ALUMINUM
 - ALL HINGES SHALL BE RECESSED EUROPEAN



SLEEPING UNIT SCHEDULE (x4)

BED (48" x 78")	24
NIGHT STAND	24
SMALL DESK	24

1 SLEEPING TRAILER
SCALE: 1/4"=1'-0"



FIXTURE & APPLIANCE SCHEDULE

KITCHENS

STOVE	5
SINK	5
FRIDGE	6

BATHROOM

SINKS	9
TOILETS	3
SHOWER	3

LAUNDRY

WASHER	2
DRYER	2

2 KITCHEN / BATHROOM TRAILER
SCALE: 1/4"=1'-0"

SCHEDULE A

This forms part of application
A22-0004 FH22-0006

Planner Initials **MT**

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Email: h.holden@shaw.ca

PROJECT: M. GILL
1989 WARD ROAD
KELOWNA, B.C.

SHEET TITLE: TRAILER & KITCHEN
BATHROOM LAYOUT

DRAWN: RAH	SHEET NO. A 3
CHECKED:	Rev. 0
SCALE: 1/4"=1'-0"	
DATE: 14-Jun-22	

